

UNITED STATES DISTRICT COURT
for the

Western District of North Carolina

United States of America)
v.)
DARWIN LEWIS TURNER) Case No: 5:06CR00001-002
Date of Previous Judgment: 4/17/2007) USM No: 20684-058
(Use Date of Last Amended Judgment if Applicable)) Tanzania Cannon-Eckerle
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 37 Amended Offense Level: 37
Criminal History Category: VI Criminal History Category: VI
Previous Guideline Range: 360 to life months Amended Guideline Range: 360 to life months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): Amendment 706 provides no reduction for cocaine base amounts of 4.5 kilograms or more and this case involves over 15 kilograms of cocaine base. The defendant is also a Career Offender and there is no change in the offense level.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 4/17/2007 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 4, 2010

Effective Date: March 4, 2010
(if different from order date)



Richard L. Webster

Richard L. Voorhees
United States District Judge

